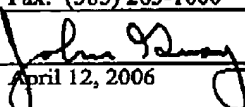



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APR 12 2006

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/731,912
		Filing Date	December 8, 2000
		First Named Inventor	Eric Allan Bier
		Group Art Unit	2176
		Examiner Name	Quoc A. Tran
Total Number of Pages in This Submission	9	Attorney Docket Number	D/A0839 (1508/3220)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> 3 Month Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> A copy of the Notice to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Replacement Drawing <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Request for Pre-Appeal Brief Conference
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 24-0037 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	John F. Guay, Reg. No. 47,248 c/o Gunnar G. Leinberg, Reg. No. 35,584 NIXON PEABODY LLP CLINTON SQUARE PO Box 31051 Rochester, NY 14603 Telephone: (585) 263-1000 Fax: (585) 263-1600
Signature	
Date	April 12, 2006

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
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<input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450	
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<u>April 12, 2006</u> Date	 Signature Domitria Vieira Typed or printed name

# **FEE TRANSMITTAL FOR FY 2006**

*Patent fees are subject to annual revision.*

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$1520.00)

*Complete if Known*

Application Number	09/731,912	<b>RECEIVED</b>
Filing Date	December 8, 2000	
First Named Inventor	Eric Allan Bier	<b>CENTRAL FAX CENTER</b>
Examiner Name	Quoc A. Tran	
Art Unit	2176	<b>APR 12 2006</b>
Attorney Docket No.	D/A0839 (1508/3220)	

## **METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number  
24-0037

Deposit Account Name  
Xerox Corporation

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## **FEE CALCULATION**

### **1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	300	2001	150	Utility filing fee	
1002	200	2002	100	Design filing fee	
1003	200	2003	100	Plant filing fee	
1004	300	2004	150	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	

**SUBTOTAL (1)** (\$ 0)

### **2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
20**	X		0
Independent Claims	3**	X	0
Multiple Dependent	X		0

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple dependent claim, if not paid
1204	200	2204	100	** Reissue independent claims over original patent
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$ 0)

\*\*or number previously paid, if greater. For Reissues, see above

## **FEE CALCULATION (continued)**

### **3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	120	2251	60	Extension for reply within first month
1252	450	2252	225	Extension for reply within second month
1253	1,020	2253	510	Extension for reply within third month
1254	1,390	2254	795	Extension for reply within fourth month
1255	2,160	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	500	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	500	2452	250	Petition to revive - unavoidable
1453	1,500	2453	750	Petition to revive - unintentional
1501	1,400	2501	700	Utility issue fee (or reissue)
1502	800	2502	400	Design issue fee
1503	1,100	2503	550	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))
1801	790	2801	395	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$1520.00)

## **CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

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April 12, 2006

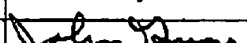
Date

Signature

Dominis Vieira

Typed or printed name

## **SUBMITTED BY**

Name (Print/Type)	John F. Guay	Registration No. (Attorney/Agent)	47,248	Telephone	(202) 585-8000
Signature				Date	April 12, 2006

SEND TO: Commissioner for Patents  
P.O. Box 1450

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APR 12 2006

PATENT

Docket No.: D/A0839 (1508/3220)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Eric Allan Bier	)	Examiner:
Serial No.	:	09/731,912	)	Quoc A. Tran
Cnfrm. No.	:	1180	)	Art Unit:
Filed	:	December 8, 2000	)	2176
For	:	SYSTEMS AND METHODS FOR EDITING A WEB PAGE	)	Date: April 12, 2006

## REQUEST FOR PRE-APPEAL BRIEF CONFERENCE

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

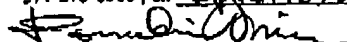
Dear Sir:

Applicant hereby requests formal review of the October 12, 2005, final office action (part of paper no./mail date 20050929), because the Examiner fails to identify the presence of essential elements required to establish a *prima facie* case of obviousness.

This paper is being filed concurrently with a Notice of Appeal and the requisite fee, as required in the guidelines for the New Pre-Appeal Brief Conference Pilot Program published in the July 12, 2005, Official Gazette Notice.

The final office action, at pages 3-11, includes a single rejection of all pending claims 1-3, 5-13, 15-16, 18-21 and 23-45 under Section 103, as allegedly being obvious over the Bay-Wei Chang paper: "In-Place Editing of Web Pages: Sparrow Community-Shared Documents" (hereinafter, "Chang") in view of newly applied Giljum et al. patent (U.S. Patent No. 6,745,238). The rejection is believed improper because the applied documents fail to teach or suggest the combinations of features set forth in each of the independent claims, and hence also in the dependent claims.

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571-273-8300, on April 12, 2006



W717796.1

Serial No. 09/731,912

Page 2 of 5

The present invention is broadly encompassed by Applicant's representative independent claims (see pages 2-8 of the Amendment dated July 27, 2005, for a complete listing of the pending claims). For example, claim 1 recites:

A group-editable web page editing system comprising:  
an element selection device that selects a portion of an electronic document, wherein the selected portion includes at least one of template information or formatting information stored within the electronic document;  
an editing device that determines an edit user interface and allows editing of the selected portion through the edit user interface, wherein the edit user interface allows editing of at least one of the template information or the formatting information of the selected portion; and  
an updating device that replaces the selected portion with the edited portion.

Similar features are set forth in Applicant's independent claims 12 and 20 in the context of processes. In the office action, the examiner acknowledges that the Chang document fails to teach the claimed features of "an element selection device that selects a portion of an electronic document, wherein the selected portion includes at least one of template information or ...," but that the Giljum patent allegedly teaches this feature in column 11, line 55 through column 13, line 30 and in Figures 11 and 38 (see, page 4 of the action, starting at line 4). It is respectfully submitted, however, that Giljum does not teach or suggest the features of independent claims 1, 12 and 20 admittedly missing in Chang.

The Giljum patent is directed to a "self-service system" allowing users to add items to a Web Site by way of a number of "panels" displayed on the user's browser (see, column 1, line 66 to column 2, line 14). According to Giljum, the entire system is resident in a "Web Site Database," which is located at a central server. In column 5, lines 8-17, Giljum describes the Web Site Database, as follows:

The Web Site Database has a built-in structure for organizing, classifying and cross-referencing items in a web site. The Web Site Database of the present invention enables the creation of a taxonomy for the classification and organization of site content. In prior art web site design, the smallest component is a page. A page consists of an assortment of links, images and text. In the Web Site Database, the smallest component is an item. For this embodiment, pages are dynamically generated, and collections of items are displayed.

According to Giljum, an authorized user is allowed to edit the site by selecting an "edit" icon (e.g., see Figure 8, the upper right-hand corner) on the home page of the Web Site. When selecting this icon, the user is presented with a panel, which allows the user to further select a particular type of editor, such as a "style editor" (see Figure 9). Starting at

Serial No. 09/731,912  
Page 3 of 5

line 55 of column 11, Giljum describes that a user can select the style editor to define a style for either the entire Web Site or for individual folders (see, column 12, lines 2-3). In column 18, line 60 to column 19, line 13, Giljum describes how a user may select a particular style (e.g., font, color etc.) for a particular folder through the Web Site Database.

However, contrary to the present invention, the Giljum patent neither discloses nor suggests storing editable template information or formatting information within the electronic document. Rather, in Figure 3, Giljum shows folders that are linked to various tables stored in the Web Site Database, such as a "style table 350" (see, column 7, lines 1-17). Hence, the Giljum patent does not teach or suggest claimed features including the selection of a portion of an electronic document, "wherein the selected portion includes at least one of template information or formatting information stored within the electronic document ... the edit user interface allows editing of at least one of the template information or the formatting information of the selected portion ..." as recited in each of the pending independent claims. To the contrary, the Giljum system appears to keep editable templates and formatting information separate from the folders (i.e., "electronic documents") including the content.

Additionally, the Giljum patent also appears to teach that item content is stored in the database as well. For example, column 5, lines 37-40 suggests that pages are being computed upon request, using data in the database. Likewise, column 6, lines 59-61 of Giljum discloses that the system uploads the item to the database if necessary. Thus, there is no suggestion in Giljum to store editable template or formatting information within an electronic document as claimed. Because the Giljum system does not describe, imply or suggest storing editable information including template information or formatting information within the electronic document, and instead teaches to store such information in different areas of a database (i.e., linked tables in the database), Giljum cannot be reasonably considered to teach or suggest each and every feature recited in the pending claims, as well as the advantageous features facilitated by the present invention.

The present invention, therefore, discloses a novel and non-obvious approach to editing, for example, *formatting information* and *template information* in a self-contained group-writable Web page even while users can be updating the content elements of the page. For example, referring to Fig. 1 of the present application, if a user desires to edit *one or more templates* stored within a web page, the user initiates a template edit mode, in which a template edit device, in cooperation with an element selection device, parses the web page to

Serial No. 09/731,912

Page 4 of 5

determine the one or more templates in use, and creates and forwards a temporary web page to a browser, which allows for editing of the template (e.g., see page 7, line 26, to page 8, line 8). The template edit device may then update each item on the page associated with the edited template, temporarily save the web page, and update the web server (e.g., see page 8, lines 21-24).

In a further described example of the invention, a user can edit the *formatting characteristics* of the page in the page edit mode, which is initiated in response to a user request with the aid of an editing device. For instance, a page edit device, in cooperation with an element selection device and a placeholder determination device, parses the web page and replaces the suppressed items with placeholder identifications in a temporary page. Next, the element selection device selects the non-placeholder information, defining, for example, the global characteristics of the web page, and a user interface determination device, in cooperation with the page edit device, then assembles a page edit user interface having an edit area defined for each non-placeholder portion. A user is then allowed to perform edits on the remaining HTML. The page edit device then deletes the old non-placeholder portions and replaces them with the updated non-placeholder portions. Each item associated with the updated non-placeholder portions are then updated, the web page is saved to a temporary file, and the web server is updated (e.g., see page 8, line 25, to page 9, line 23).

Thus, the group-editable Web pages of the present invention can store the data items in the Web page as well as editable template and formatting information. The page is self-contained in this way in a group-writable document. Therefore, there is no need for a database, such as in the Giljum system, and its related software and administration costs. Additionally, the present invention allows for persistent Web pages. That is, they can be stored, sent by e-mail, moved from one server to another, while maintaining their data, and can be edited modified with new templates and formats so they can be used for new purposes.

For all these reasons, the applied combination of the Chang and Giljum documents does not teach or suggest each and every feature set forth in Applicant's independent claims 1, 12 and 20, and therefore also in the dependent claims. Therefore, the Office has failed to establish a *prima facie* case of obviousness. Accordingly, the rejection should be withdrawn.

Finally, Applicant notes that on page 2, section 4 of the office action, the Examiner states:

Serial No. 09/731,912

Page 5 of 5

Regarding to Applicant's arguments directed toward the un-amended claims (i.e. dependent claims 2-3, 7-11, 13, 16, 18-19 and 28-31). It is noted, that Chang in view of Ferrel and further in view of Ken Pier, fairly teach and/or suggest the claims' limitations.

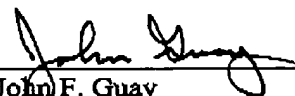
This forgoing statements appear inappropriate because the Examiner has withdrawn the rejections under 35 U.S.C. § 103 based on the Chang, Ferrel and Ken Pier documents.

Applicant respectfully traverses any implication by the Examiner that a *prima facie* case of obviousness is established. If the Examiner believes the rejections based on the Chang and Ferrel documents are proper, he should have maintained them and given Applicant the opportunity to address the Examiner's contention. Accordingly, it is respectfully submitted that Applicant's previous arguments have overcome the Examiner's rejection of claims 2-3, 7-11, 13, 16, 18-19 and 28-31 in view of any combination of Chang, Ferrel, and Ken Pier, and that the rejections have been reconsidered and withdrawn by the Examiner. Further, it is respectfully requested that the Examiner's conclusory statements be formally withdrawn.

In view of all of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and prompt notification of the same is earnestly sought.

Respectfully submitted,

Date: April 12, 2006

  
John F. Guay  
Registration No. 47,248

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